IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE NINETEENTH DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE J.CHELAMESWAR

AND
THE HON'BLE MR JUSTICE GHULAM MOHAMMED

WRIT PETITION No.31100 OF 1997

Between:

Smt. A.Lalitha, W/o. A.Narendra,
R/o. 23-6-431, Gowlipura,
Hyderabad.

..... PETITIONER

AND

1 The Union of India, Rep. by its Finance Secretary,
Central Secretariate, New Delhi.
2 State Bank of Hyderabad, Rep. by its Manager,
Bhongiri Branch, Nalgonda District.
3 Chairman, Debts Recovery Tribunal
Krishi Bhavan, Hudson Circle,
Nrupatunga Road, Bangalore.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court may be pleased to issue an order or direction or writ more particularly one in the nature of a 'Writ of Certiorari' quashing the enactment of Debts Recovery Act No.51/1993 as ultravirus to the Constitution of India and for a consequential relief there under restraining the Third Respondent herein from proceeding with further trial in O.A.No.979/97 on the file of the third respondent tribunal against the petitioners as invalid after declaring the provisions of Act No.51/1993 as illegal violative to the principles of natural justice and violative Art.14,19,21,246(3)&300 of the Constitution of India and to pass such other order or orders as this Hon'ble Court may be deem fit and proper in the circumstances of the case.

Counsel for the Petitioner : MR.B.SHANKER

Counsel for the Respondents : MR.A.RAJASHEKAR REDDY

(ASST.SOLICITOR GEN.)

The Court made the following :

O R D E R

(Per Sri Justice J.Chelameswar)

The learned counsel for the petitioner seeks permission of this Court to withdraw the writ petition. Permission is accorded.

Accordingly, the writ petition is dismissed as withdrawn.

No costs.

JUSTICE J.CHELAMESWAR

JUSTICE GHULAM MOHAMMED

19th APRIL, 2005

PGS

To

1 The Finance Secretary, The Union of India,
Central Secretariate, New Delhi.

2 The Manager, State Bank of Hyderabad,
Bhongiri Branch, Nalgonda District.

3 Chairman, Debts Recovery Tribunal
Krishi Bhavan, Hudson Circle,
Nrupatunga Road, Bangalore.

4 2 CD Copies.

THE HON'BLE MR JUSTICE J.CHELAMESWAR

AND

THE HON'BLE MR JUSTICE GHULAM MOHAMMED

WRIT PETITION No.31100 OF 1997

(Per Sri Justice J.Chelameswar)

19th APRIL, 2005